

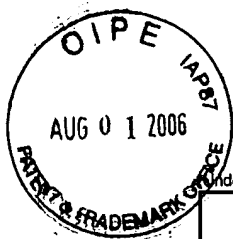
PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | | | | | |
|---|------------------------|--|----------------------|-----------------------------------|---------------------------|-----------------------|-----------------------|
| FEE TRANSMITTAL for FY 2005 | | Complete if Known | | | | | |
| | | Application Number | 10/781,989 | | | | |
| | | Filing Date | February 18, 2004 | | | | |
| | | First Named Inventor | Andrew C. HIATT | | | | |
| | | Examiner Name | A. R. Salimi | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Art Unit | 1648 | | | | |
| TOTAL AMOUNT OF PAYMENT (\$) | | 180.00 | Attorney Docket No. | 415142000303 | | | |
| METHOD OF PAYMENT (check all that apply) | | | | | | | |
| <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ | | | | | | | |
| <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>03-1952</u> Deposit Account Name: <u>Morrison & Foerster LLP</u> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) | | | | | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee | | | | | | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments | | | | | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | |
| FEE CALCULATION | | | | | | | |
| 1. BASIC FILING, SEARCH, AND EXAMINATION FEES | | | | | | | |
| FILING FEES | | | | | | | |
| Application Type | FEE (\$) | Small Entity Fee (\$) | SEARCH FEES Fee (\$) | Small Entity Fee (\$) | EXAMINATION FEES Fee (\$) | Small Entity Fee (\$) | Fees Paid (\$) |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | -0- |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | -0- |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | -0- |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | -0- |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | -0- |
| 2. EXCESS CLAIM FEES | | | | | | | |
| Fee Description | | | | | | Small Entity Fee (\$) | Small Entity Fee (\$) |
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | | | | | | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | | | | | | 200 | 100 |
| Multiple dependent claims | | | | | | 360 | 180 |
| Total Claims | | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | | |
| -20 or HP | | x | | = | 0 | | |
| HP + highest number of total claims paid for, if greater than 20 | | | | | | 0 | |
| Indep. Claims | | Extra Claims | Fee (\$) | Fee Paid (\$) | | | |
| -3 or HP | | x | | = | 0 | | |
| HP + highest number of independent claims paid for, if greater than 3 | | | | | | | |
| 3. APPLICATION SIZE FEE | | | | | | | |
| If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or reaction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) | | | |
| - 100 = | / 50 = | (round up to a whole number) x | | = | 0 | | |
| 4. OTHER FEE(S) | | | | | | | |
| Other: 1806 INFORMATION DISCLOSURE STATEMENT | | | | | | \$180.00 | |
| SUBMITTED BY: MORRISON & FOERSTER LLP | | | | CUSTOMER NO. 20872 | | | |
| Signature | <i>Michael R. Ward</i> | | | Registration No. (Attorney/Agent) | 38,651 | Telephone | 415/268-6237 |
| Name (Print/Type) | MICHAEL R. WARD | | | Date | July 24, 2006 | | |

sf-2164586



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

**7 + 3
refs**

Application Number

10/781,989

Filing Date

February 18, 2004

First Named Inventor

Andrew C. HIATT

Art Unit

1638

Examiner Name

A. R. Salimi

Attorney Docket Number

415142000303

ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form IN DUPL - 2
pgs☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Discl Stmt - 3 pgs☐ Certified Copy of Priority
Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance communication
to Technology Center (TC)☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please
Identify below):**1. PTO/SB/08a/b - 1 page
(citing 9 refs; 3 refs attached)**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual nameMORRISON & FOERSTER LLP
Michael R. Ward (38,651)

(Customer No. 20872)

Signature

Date

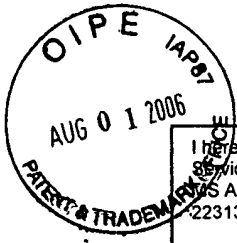
July 24, 2006

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, with sufficient postage as FIRST CLASS MAIL, in an envelope addressed to: MS: AMENDMENT, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 24, 2006

Signature:

(LILJA OLSEN)



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Dated: 7/24/06 Signature: [Signature]
(Lilla Olsen)

Patent
Docket No. 415142000303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andrew C. HIATT et al.

Serial No.: 10/781,989

Filing Date: February 18, 2004

For: METHOD FOR PRODUCING
IMMUNOGLOBULINS CONTAINING
PROTECTION PROTEINS AND THEIR
USE

Examiner: A. R. Salimi

Group Art Unit: 1648

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.**
- ☐ A fee is required. A check in the amount of ___ is enclosed.
- ☒ **A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.**
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **(415142000303)**.

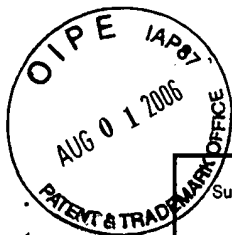
Dated:

July 24, 2006

Respectfully submitted,

By Michael R. Ward
Michael R. Ward

Registration No.: 38,651
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
(415) 268-6237



ALTERNATIVE TO PTO/SB/08a/b (07-05)

| | | | | | |
|--|---|----|---|--------------------------|-------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/781,989 |
| | | | | Filing Date | February 18, 2004 |
| | | | | First Named Inventor | Andrew C. HIATT |
| | | | | Art Unit | 1648 |
| | | | | Examiner Name | A. R. Salimi |
| Sheet | 1 | of | 1 | Attorney Docket Number | 415142000303 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | 1. | US-4,443,549 | 04-17-1984 | Sadowski et al. | |
| | 2. | US-5,959,177 | 09-28-1999 | Hein et al. | |
| | 3. | US-5,202,422 | 04-13-1993 | Hiatt et al. | |
| | 4. | US-6,303,341 | 10-16-2001 | Hiatt et al. | |
| | 5. | US-6,046,037 | 04-04-2000 | Hiatt et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | 6. | WO-96/21012-A1 | 07-11-1996 | Planet Biotechnology, Inc | | |

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|-----------------------|---|--|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² |
| | 7. | BREITFELD, Philip P. et al. (1990). "Deletions in the Cytoplasmic Domain of the Polymeric Immunoglobulin Receptor Differentially Affect Endocytotic Rate and Postendocytotic Traffic," <i>J. Biol. Chem.</i> 265(23): 13750-13757. | | |
| | 8. | HIATT, Andrew and J. K.-C. Ma. (1992). "Monoclonal Antibody Engineering in Plants," <i>FEBS Letters</i> 307(1): 71-75. | | |
| | 9. | MICHETTI, Pierre, et al. (1991). "Production and Use of Monoclonal IgA Antibodies Complexed with Recombinant Secretory Component for Passive Mucosal Protection," <i>Adv. Exp. Med. Biol.</i> 310: 183-185. | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|